

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:13-CV-70-BR

MINNA PAK,

Plaintiff,

v.

UNIFUND CCR PARTNERS, ZB LIMITED
PARTNERSHIP, CREDIT CARD
RECEIVABLES FUND, INC., PORTFOLIO
RECOVERY ASSOCIATES, LLC, SESSOMS &
ROGERS, P.A., DONNA PRIMROSE BROWN,
and AMBER K. KAUFFMAN,

Defendants.

ORDER

This matter comes before the court on Defendants' *Motion to Stay Discovery*. [DE-18].

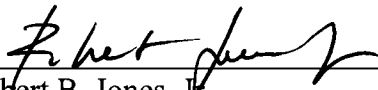
In the motion, Defendants request that all discovery be stayed pending resolution of Defendants' motions to dismiss [DE-11, -13] and motion to sever [DE-15]. Plaintiff does not object to Defendants' motion. [DE-21].

Rule 26(c) of the Federal Rules of Civil Procedure authorizes a court to issue an order limiting or staying discovery. Specifically, a court has discretion to stay discovery until the court's resolution of pending dispositive motions. *See Yongo v. Nationwide Affinity Ins. Co. of America*, No. 5:07-CV-94-D, 2008 U.S. Dist. LEXIS 14684, at *6, 2008 WL 516744, at *2 (E.D.N.C. Feb. 25, 2008); *Tilley v. United States*, 270 F. Supp. 2d 731, 734 (M.D.N.C. 2003). In certain cases, a stay of discovery may be appropriate to prevent a waste of time and resources by the parties and to make efficient use of judicial resources. *See United States v. A.T. Massey Coal*

Co., No. 2:07-0299, 2007 U.S. Dist. LEXIS 77501, at *7, 2007 WL 3051449, at *2 (S.D. W. Va. Oct. 18, 2007). “Factors favoring issuance of a stay include the potential for the dispositive motion to terminate all the claims in the case or all the claims against particular defendants, strong support for the dispositive motion on the merits, and irrelevancy of the discovery at issue to the dispositive motion.” *Yongo*, 2008 U.S. Dist. LEXIS 14684, at *6, 2008 WL 516744, at *2 (quoting *Tilley*, 270 F. Supp. 2d at 735).

Here, Defendants have demonstrated good cause for their request to stay discovery. Accordingly, (1) all discovery in this matter is STAYED pending the court’s ruling on Defendants’ motions to dismiss [DE-11, -13] and motion to sever [DE-15]; (2) following the court’s disposition of all of Defendants’ motions [DE- 11, -13, -15], then the parties shall, within twenty-one (21) days thereafter, confer regarding a Rule 26(f) discovery plan, and, within fifteen (15) days after the 26(f) conference, file a proposed discovery plan and exchange mandatory initial disclosures.

So ordered, the 17th day of June, 2013.



Robert B. Jones, Jr.
United States Magistrate Judge